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Application No.: 10/521,547

Docket No.: JCLA15751

REMARKS

Present Status of the Application

The Office Action rejected claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over JP 8-1353 and further in view of Aoyama et al (US6,008,563).

Applicants have amended claims 1 by combining original claims 1 and 3. Applicants respectfully traverse the rejections addressed to claims 1-9 for at least the reasons set forth below.

Discussion of the claim rejection under 35 U.S.C. 103(a)

The Office Action rejected claims 1-9 under 35 U.S.C. 103(a) as being unpatentable over JP 8-1353 and further in view of Aoyama et al(US6,008,563).

In response to Item 3 in the Office Action, Applicants want to point out the misunderstood of the Examiner that "Therefore, it would have been obvious to use cooling air or water, since both are known in the casting art as cooling means taught by Aoyama et al, in JP '353, in order to cool the electrode from the welding heat." In JP '353, it only discloses how to detect the existence of parts by using a detecting current. Neither does it disclose nor does it teach anything about using cooling air or water in the casting art as cooling means.

In US '463, it discloses an air passage (22). Please refer to Line 17-22 in Column 6 in US '463, when the nut (14) is pressed against the steel plate part (13) and a welding current is turned on to complete the welding, the spatter splashing at this time being scattered by the compressed

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air so as not to enter the gap (12). The welding heat is cooled by the current of air. Also please refer to Lin 5-7 in Claim 1 in US '463, "...air blows out from the outer circumference of the guide pin as the guide pin is pushed in,...".

Due to the disclosure of US '463, it is known that the air passage (22) cooperates with the gap (12) to inject air to the sparkle. However, the cooling passage of the present invention WOULD NOT inject any fluid to the sparkle.

It is noted that even if cooling water passes the O-ring 39 by any chance, it is reliably prevented from passing through the clearance to reach the washer 21, the significance of which is as described in the passage bridging pages 7 and 8: "...The reference character 39 denotes an O-ring for sealing off cooling water between the guide sleeve 12 and the main body 6. Further, at a place nearer to the end of the guide sleeve 12 on the washer 21 side is formed a circumferential seal groove 40, which is filled with an adhesive agent 41. This ensures that even if cooling water passes the O-ring 39 by any chance, it is reliably prevented from passing through the clearance to reach the washer21...."

The currently amended claim 1 is narrowed by combining originally claims 1 and 3. The feature of the amended claim 1 HAS NOT being disclosed or taught by any of the cited references. The amended claim 1 is non-obvious over the cited references and is patentable. The dependent claims according to the amended claim 1 are also patentable.

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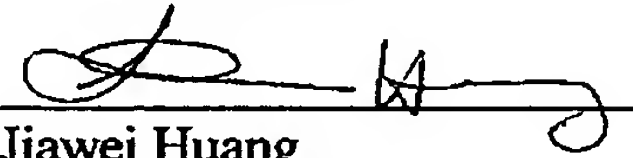
CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-9 of the present application patentably define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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